

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the Application Of: <b>McMillen,</b>	)	Examiner: <b>TBD</b>
<b>Robert</b>	)	
	)	
Application No.: <b>New</b>	)	Group Art Unit:
	)	
Filing Date: <b>Herewith</b>	)	
	)	Attorney Docket No.: <b>41575-220</b>
Title: <b>Apparatus and Method For</b>	)	
<b>Lumbar Support With Variable</b>	)	
<b>Apex</b>	)	

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

This Information Disclosure Statement is being filed within three months of the filing of a national application; within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; or before the mailing date of a first Office action on the merits, whichever occurs last, pursuant to 37 CFR 1.97(b). Attached hereto is Form PTO-1449, and the references cited therein.

Although there is no fee for filing this Information Disclosure Statement within the time frame described above, the Commissioner is hereby authorized to charge any unforeseen fee required to Deposit Account No. 08-3460. A duplicate copy of this sheet is enclosed.

**REMARKS**

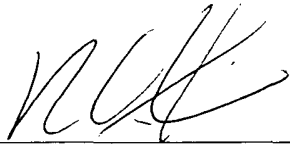
Foreign Patent Documents

Applicant makes the following remarks relating to the cited foreign patents, arranged by reference letter:

- BA** See English translation attached to EP 698 360 B1. The priority for this patent is AT serial number 1561/94, now patent number 402145. Equivalents include DE 59508036D and ES 2144599.
- BB** No remarks.

- BC** English claims are included in the specification of EP 0797 399 B1. US 5,934,752, as cited herein, is an English equivalent. An additional equivalent includes JP 10510442T. The priority for this patent is DE 44 44803A1. Also see WO9518326.
- BD** English claims are included in the specification of EP 0 746 219 B1. US 6,079,783, as cited herein, is an English equivalent to this patent. The priority for this patent is DE 4405495. Also see WO9522270.
- BE** English claims are included in the specification of EP 0 696 251. US 5,704,687, as cited herein, is an English equivalent. Additional equivalents include AU 680249, BR PI9406485, CN ZL94191955, IN 108926, KR 306258, MX 190788 and ZA 94/2596. The priority for this patent is DE 4314325. Also see WO9425307.
- BF** English claims are included in the specification of EP 0 702 522 B1. US 5,913,569, as cited herein, is an English equivalent. The priority for this patent is DE 4320105. Also see WO9500053.
- BG** English claims are included in the specification of EP 0 662 795 B1. US 5,651,583, as cited herein, is an English equivalent. Additional equivalents include AU 684472, CN ZL93118221, KR 6158300 and IN 178518. The priority for this patent is DE 4232679. Also see WO9407393.
- BH** No English equivalents were found for this patent; see english translation of the abstract attached thereto.
- BI** Equivalents include DE 69206581D or DE 69206581T. The priority for this patent is IT 1991TO00831.
- BJ** Sere English translation attached to EP 0 434 660 B1. Equivalents include DE 59009013D, and ES 2077668T. The priority for this patent is AT 396055B.

- BK** English claims are included in the specification of EP 0485 483 B1. US 5,397,164, as cited herein, is an English equivalent. The priorities for this patent are AT 1882/89 and AT 2133/89. Additional equivalents include AU 645 987, CA 2,059,537, CN ZL90108563, CO 24068, BR PI9007576, JP 2833629B2, MX 174767, and ZA 90/7227. Also see WO9101666.
- BKa** See English abstract attached to DE 42 20 995 A1.
- BL** The specification of EP 0 322 535 is in English; equivalents include JP 1175808 and KR 9206272.
- BM** The specification of EP 169 293 B1 is in English; equivalents include SE 445 168 and US 4,627,661, as cited herein.
- BN** See English abstract attached to FR 2596334; no additional English equivalents were found.
- BO** English claims are included in the specification of EP 0 006 840 B1. US 4,354,709, as cited herein, is an English equivalent to the EP patent. Equivalents also include AR 219799, BR 7904058, CA 1,113,192, CS 7904357, DE 2962040D, ES 481713, JP 55044175, MX 150056, SU 971117, US 4,452,485 (cited herein), YU 148779, ZA 7902780.
- BP** No English equivalent found; see English translation of the claims attached thereto. The relevance is to show the general state of the art.
- BQ** An equivalent to GB 1 423 617 includes DE 2345254. AT 316802 is the priority for this patent.
- BR** US 3,762,769, as cited herein, is an English equivalent to DE 206 4419. Additional equivalent patents include FR 2120888 and IT 940824.
- BS** US 3,724,144, as cited herein, is an English equivalent to DE 204 0794. Additional equivalent patents include FR 2065915 and SE 372 698. AT 306949 is the priority for this patent.
- BT** See English translation attached to RU 587924.
- BU** No remarks.

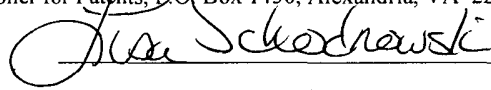


Robert C. Haldiman  
Attorney for Applicant  
Reg. No. 45,437  
HUSCH & EPPENBERGER, LLC  
190 Carondelet Plaza, Suite 600  
St. Louis, MO 63105  
Telephone 314.480.1500  
Facsimile 314.480.1505  
Customer #29493

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<b>37 CFR 1.501</b> <b>INFORMATION DISCLOSURE CITATION</b> <b>IN A PATENT</b> <b>(use as many sheets as necessary)</b>										Docket Number (Optional) 41575-220		Application Number			
										Applicant McMillen, Robert					
										Filing Date		Group Art Unit			
<b>U.S. PATENT DOCUMENTS</b>															
Examiner Initial	Ref.	Document Number							Date	Name	Class	Subclass	Filing Date If Appropriate		
	AA	6	5	3	6	8	4	0	3/25/2003	Schuster, Sr. et al.	297	284.1	12/15/2000		
	AB	6	3	3	8	5	3	0	1/15/2002	Gowing	297	284.4	1/30/2000		
	AC	6	3	3	4	6	5	1	1/1/2002	Duan et al.	297	284.4	3/31/2000		
	AD	6	2	9	6	3	0	8	10/2/2001	Cosentino et al.	297	284.4	2/10/2000		
	AE	6	2	7	0	1	5	8	8/7/2001	Hong	297	284.4	4/20/2000		
	AF	6	2	5	4	1	8	7	7/3/2001	Schuster, Sr. et al.	297	284.1	8/24/1999		
	AG	6	2	5	4	1	8	6	7/3/2001	Falzon	297	284	7/30/1997		
	AH	6	2	2	7	6	1	8	5/8/2001	Ligon, Sr. et al.	297	284.4	4/3/2000		
	AI	6	2	2	7	6	1	7	5/8/2001	Von Möller	297	284.4	3/21/1988		
	AJ	6	1	5	8	3	0	0	12/12/2000	Klingler	74	526	1/5/1998		
	AK	6	1	5	2	5	3	2	11/28/2000	Cosentino	297	284.4	12/13/1999		
	AL	6	1	5	2	5	3	1	11/28/2000	Deceuninck	297	284.4	8/20/1997		
	AM	6	0	9	2	8	7	1	7/25/2000	Beaulieu	297	284.4	10/29/1999		
	AN	6	0	7	9	7	8	3	6/27/2000	Schuster, Sr. et al.	297	284.4	2/21/1995		
	AO	6	0	5	0	6	4	1	4/18/2000	Benson	297	284.4	12/19/1997		
	AP	6	0	4	5	1	8	5	4/4/2000	Ligon, Sr. et al.	297	284.4	6/30/1998		
	AQ	6	0	3	6	2	6	5	3/14/2000	Cosentino	297	284.4	8/28/1998		
	AR	6	0	3	0	0	4	1	2/29/2000	Hsiao	297	284.4	3/2/1999		
	AS	6	0	0	7	1	5	1	12/28/1999	Benson	297	284.4	9/30/1998		
	AT	6	0	0	3	9	4	1	12/21/1999	Schuster, Sr. et al.	297	284.1	7/6/1998		
	AU	5	9	8	8	7	4	5	11/23/1999	Deceuninck	297	284.4	1/3/1997		
	AV	5	9	8	4	4	0	7	11/16/1999	Ligon, Sr. et al.	297	284.4	3/10/1997		
	AW	5	9	7	5	6	3	2	11/2/1999	Ginat	297	284.4	9/2/1998		
	AX	5	9	3	4	7	5	2	8/10/1999	Klingler	297	284.4	12/14/1995		
	AY	5	9	1	3	5	6	9	6/22/1999	Klingler	297	284.4	6/16/1994		
	AZ	5	9	1	1	4	7	7	6/15/1999	Mundell, et al.	297	284.4	5/29/1997		
	AAA	5	8	9	7	1	6	8	4/27/1999	Bartelt, et al.	297	452.18	7/26/1996		
	AAB	5	8	8	4	9	6	8	3/23/1999	Massara	297	216.12	8/25/1997		
	AAC	5	8	6	8	4	6	6	2/9/1999	Massara, et al.	297	284.6	2/2/1996		
	AAD	5	8	5	7	7	4	3	1/12/1999	Ligon, Sr. et al.	297	284.9	2/10/1997		
	AAE	5	8	2	3	6	2	0	10/20/1998	Le Caz	297	284.4	4/17/1997		
	AAF	5	8	1	6	6	5	3	10/6/1998	Benson	297	284.4	3/17/1997		
	AAG	5	7	9	1	7	3	3	8/11/1998	Van Hekken, et al.	297	284.4	6/20/1997		
	AAH	5	7	7	5	7	7	3	7/7/1998	Schuster, et al.	297	284.1	1/6/1997		

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<b>37 CFR 1.501</b> <b>INFORMATION DISCLOSURE CITATION</b> <b>IN A PATENT</b> <b>(use as many sheets as necessary)</b>	Docket Number (Optional) 41575-220	Application Number
	Applicant McMillen, Robert	
	Filing Date	Group Art Unit

	AAI	5	7	7	2	2	8	1	6/30/1998	Massara	297	284.4	5/19/1997
	AAJ	5	7	6	9	4	9	1	6/23/1998	Schwarzlich	297	284.4	12/2/1996
	AAK	5	7	6	2	3	9	7	6/9/1998	Venuto, et al.	297	284.4	3/24/1997
	AAL	5	7	5	8	9	2	5	6/2/1998	Schrewe, et al.	297	284.6	12/2/1996
	AAM	5	7	1	8	4	7	6	2/17/1998	De Pascal, et al.	297	284.4	9/20/1996
	AAN	5	7	0	4	6	8	7	1/6/1998	Klingler	297	284.4	4/22/1994
	AAO	5	6	5	1	5	8	4	7/29/1997	Chenot, et al.	297	284.4	4/24/1995
	AAP	5	6	5	1	5	8	3	7/29/1997	Klingler, et al.	297	284.4	9/10/1993
	AAQ	5	6	3	8	7	2	2	6/17/1997	Klingler	74	502.4	6/16/1994
	AAR	5	6	2	6	3	9	0	5/6/1997	Schuster, et al.	297	284.1	6/7/1995
	AAS	5	6	0	9	3	9	4	3/11/1997	Ligon, Sr., et al.	297	284.4	2/23/1996
	AAT	5	5	8	8	7	0	3	12/31/1996	Itou	297	284.4	10/12/95
	AAU	5	5	6	7	0	1	1	10/22/1996	Sessini	297	284.4	5/12/1994
	AAV	5	5	6	7	0	1	0	10/22/1996	Sparks	297	284.4	8/29/1994
	AAW	5	5	6	2	3	2	4	10/8/1996	Massara, et al.	297	284.6	2/2/1996
	AAX	5	5	5	3	9	1	7	9/10/1996	Adat, et al.	297	230.14	6/30/1994
	AAZ	5	5	1	8	2	9	4	5/21/1996	Ligon, Sr., et al.	297	284.4	5/23/1994
	AAZ	5	4	9	8	0	6	3	3/12/1996	Schuster, et al.	297	284.1	12/8/1994
	AAAA	5	4	7	4	3	5	8	12/12/1995	Maeyaert	297	284.7	4/26/1993
	AAAB	5	4	5	2	8	6	8	9/26/1995	Kanigowski	244	122 R	1/9/1995
	AAAC	5	4	4	9	2	1	9	9/12/1995	Hay, et al.	297	284.4	1/18/1993
	AAAD	5	4	2	3	5	9	3	6/13/1995	Nagashima	297	284.5	3/11/1994
	AAAE	5	3	9	7	1	6	4	3/14/1995	Schuster	297	284.1	8/6/1990
	AAAF	5	3	8	5	5	3	1	1/13/1995	Jover	601	99	1/17/1993
	AAAG	5	3	3	5	9	6	5	8/9/1994	Sessini	297	284.4	4/9/1990
	AAAH	5	2	9	9	8	5	1	4/5/1994	Lin	297	284.5	5/19/1993
	AAAI	5	2	8	6	0	8	7	2/15/1994	Elton	297	284.7	11/9/1992
	AAAJ	5	2	1	7	2	7	8	6/8/1993	Harrison, et al.	297	284.7	3/13/1991
	AAAK	5	2	1	5	3	5	0	6/1/1993	Kato	297	284.4	3/20/1991
	AAAL	5	1	9	7	7	8	0	3/30/1993	Coughlin	297	284.7	2/20/1991
	AAAM	5	1	7	4	5	2	6	12/29/1992	Kanigowski	244	122	11/27/1991
	AAAN	5	1	3	7	3	2	9	8/11/1992	Neale	297	284	6/24/1991
	AAAO	5	0	8	8	7	9	0	2/18/1992	Wainwright, et al.	297	284	5/21/1990
	AAAP	5	0	7	6	6	4	3	12/31/1991	Colasanti, et al.	297	284	8/20/1990
	AAAQ	5	0	5	0	9	3	0	9/24/1991	Schuster, et al.	257	284	8/3/1990
	AAAR	5	0	2	6	1	1	6	6/25/1991	Dal Monte	297	284	12/22/1989
	AAAS	5	0	2	2	7	0	9	6/11/1991	Marchino	297	452	2/13/1989
	AAAT	5	0	0	5	9	0	4	4/9/1991	Clemens, et al.	297	284	2/27/1989

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Information Disclosure Statement – PTO 1449 (Modified)

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**37 CFR 1.501**  
**INFORMATION DISCLOSURE CITATION**  
**IN A PATENT**  
**(use as many sheets as necessary)**

Docket Number (Optional) 41575-220		Application Number	
Applicant McMillen, Robert			
Filing Date		Group Art Unit	

	AAAU	4	9	6	8	0	9	3	11/6/1990	Dal Monte	297	284	12/22/1989
	AAAV	4	9	5	7	1	0	2	9/18/1990	Tan, et al.	128	68	9/27/1988
	AAAW	4	9	5	0	0	3	2	8/21/1990	Nagasaka	297	284	7/25/1989
	AAAX	4	9	1	5	4	4	8	4/10/1990	Morgenstern	297	284	7/11/1988
	AAAY	4	9	0	9	5	6	8	3/20/1990	Dal Monte	292	284	10/13/1988
	AAAZ	4	8	8	0	2	7	1	11/14/1989	Graves	257	284	12/23/1988
	AAAAA	4	7	3	0	8	7	1	3/15/1988	Sheldon	297	230	8/14/1986
	AAAAB	4	6	7	9	8	4	8	7/14/1987	Spierings	297	284	8/14/1986
	AAAAC	4	6	7	6	5	5	0	6/30/1987	Neve De Mevergnies	297	353	2/12/1985
	AAAAD	4	6	3	2	4	5	4	12/30/1986	Naert	297	284	10/29/1984
	AAAAE	4	6	3	0	8	6	5	12/23/1986	AHS	297	284	11/23/1983
	AAAF	4	6	2	7	6	6	1	12/9/1986	Ronnhult, et al.	297	284	7/25/1984
	AAAAG	4	6	0	2	8	1	9	7/29/1986	Morel	297	460	5/19/1983
	AAAAH	4	6	0	1	5	1	4	7/22/1986	Meiller	297	284	1/6/1984
	AAAAI	4	5	7	6	4	1	0	3/18/1986	Hattori	297	284	5/25/1983
	AAAAJ	4	5	6	5	4	0	6	1/21/1986	Suzuki	297	284	3/22/1985
	AAAAK	4	5	6	4	2	3	5	1/14/1986	Hatsutta, et al.	297	284	11/9/1984
	AAAAL	4	5	6	1	6	0	6	12/31/1985	Sakakibara, et al.	242	107	10/19/1983
	AAAAM	4	5	5	6	2	5	1	12/3/1985	Takagi	297	284	10/18/1983
	AAAAN	4	5	5	5	1	4	0	11/26/1985	Nemoto	297	452	2/23/1984
	AAAAO	4	5	4	1	6	7	0	9/17/1985	Morgenstern, et al.	297	284	8/15/1983
	AAAAP	4	4	6	5	3	1	7	8/14/1984	Schwarz	297	284	1/22/1981
	AAAAQ	4	4	5	2	4	8	5	6/5/1984	Schuster	297	284	12/23/1981
	AAAAR	4	4	4	9	7	5	1	5/22/1984	Murphy, et al.	297	284	5/26/1981
	AAAAS	4	3	9	0	2	1	0	6/28/1983	Wisniewski, et al.	297	452	12/15/1980
	AAAAT	4	3	5	4	7	0	9	10/19/1982	Schuster	297	284	6/22/1979
	AAAAU	4	3	1	6	6	3	1	2/23/1982	Lenz, et al.	297	284	12/6/1979
	AAAV	4	3	1	3	6	3	7	2/2/1982	Barley	297	284	11/13/1979
	AAAW	4	2	9	5	6	8	1	10/20/1981	Gregory	297	284	2/19/1980
	AAAX	4	1	8	2	5	3	3	1/8/1980	Arndt, et al.	297	284	12/26/1978
	AAAY	4	1	5	6	5	4	4	5/29/1979	Swenson, et al.	297	284	3/20/1978
	AAAZ	4	1	5	3	2	9	3	5/8/1979	Sheldon	297	284	9/6/1977
	AAAAA	4	1	3	6	5	7	7	1/30/1979	Borgersen	74	479	11/10/1976
	AAAAB	3	7	6	2	7	6	9	10/2/1973	Poschl	297	284	12/16/1971
	AAAAC	3	7	2	4	1	4	4	4/3/1973	Schuster	52	108	12/14/1970
	AAAAD	3	4	9	2	7	6	8	2/3/1970	Schuster, W.	52	98	4/10/1968
	AAAAE	3	4	9	0	0	8	4	1/20/1970	Schuster, W.	5	351	1/22/1968
	AAAAF	3	3	7	8	2	9	9	4/16/1968	Sandor, W.C.	297	284	7/5/1966

**37 CFR 1.501**  
**INFORMATION DISCLOSURE CITATION**  
**IN A PATENT**  
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Docket Number (Optional)  
41575-220

Application Number

Applicant  
McMillen, Robert

Filing Date

Group Art Unit

	AAAAAG	2	9	4	2	6	5	1	6/28/1960	Binding, K.W.	155	131	11/12/1957
	AAAAAH	2	8	4	3	1	9	5	7/15/1958	Barvaeus, A.E.A.	155	182	1/25/1956
	AAAAAI	2	7	5	6	8	0	9	7/31/1956	Endresen, E.	155	182	6/30/1954
	AAAAAJ	1	1	8	2	8	5	4	5/9/1917	Poler, A.J.	N/A	N/A	5/10/1915

**FOREIGN PATENT DOCUMENTS**

Examiner Initial	Ref.	Document Number	Issue Date	Country	International Class	Translation	
						Yes	No
	BA	0 698 360 B1	3/22/2000	EPO	A47C 7/46	X	
	BB	WO/00/00064	1/6/2000	WO	A47C 3/025	X	
	BC	0 797 399 B1	11/11/1998	EPO	A47C 7/46	PART.	
	BD	0 746 219 B1	11/4/1998	EPO	A47C 7/46	PART.	
	BE	0 696 251 B1	7/16/1997	EPO	B6ON 2/44	PART.	
	BF	0 702 522 B1	3/19/1997	EPO	A47C 7/46	X	
	BG	0 662 795 B1	12/11/1996	EPO	A47C 7/46	PART.	
	BH	401 497	9/25/1996	AT	B6ON 2/22	PART.	
	BI	0 540 481 B1	12/6/1995	EPO	A47C 7/46	X	
	BJ	0 434 660 B1	5/3/1995	EPO	A47C 7/46	X	
	BK	0 485 483 B1	1/26/1994	EPO	A47C 7/46	PART.	
	BKa	42 20 995 A1	1/27/1994	DE	A47C 7/46	PART.	
	BL	0 322 535 A1	7/5/1989	EPO	A47C 7/46	X	
	BM	0 169 293 B1	10/5/1988	EPO	A47C 7/46	X	
	BN	2 596 334	10/2/1987	FR	B6ON 1/06	PART.	
	BO	0 006 840 B1	2/3/1982	EPO	A47C 23/00	PART.	
	BP	29 47 472	8/7/1980	DE	B 60 N 1/00	PART.	
	BQ	1 423 617	2/4/1976	GB	A47C 7/46	X	
	BR	206 4419	7/20/1972	DE	B6ON 1/06	X	
	BS	2040794	7/8/1971	DE	A47C 7/28	X	
	BT	587924	2/21/78	RU	A47C 7/46	X	
	BU	2 013 487	2/3/1978	GB	A47C 7/46	X	

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)**

Examiner Initial	DOCUMENT

EXAMINER	DATE CONSIDERED
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